

**EDWARD E. COREY (SB #124900)**  
**COREY & COREY**

3580 Wilshire Boulevard  
 17th Floor  
 Los Angeles, CA 90010  
 (213) 385-7003  
 (213) 385-6908 Fax

Counsel for SHAGHAI WIN-WING IMP. &  
 EXP. CO, LTD., Plaintiff.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

SHAGHAI WIN-WING IMP. & EXP. CO, LTD.,	)	No. 08-CV-02031-SC
	)	
Plaintiff,	)	
	)	<b>PLAINTIFF'S EX PARTE</b>
vs.	)	<b>APPLICATION TO CONTINUE THE</b>
	)	<b>ORDER OF APRIL 18, 2008,</b>
	)	<b>SETTING INITIAL CASE</b>
TETSUYA WATANABE, OAKHILLS	)	<b>MANAGEMENT CONFERENCE AND</b>
HARDWOOD FLOORS, INC., K&T	)	<b>ADR DEADLINES; DECLARATION</b>
ASSOCIATES, INC.	)	<b>OF EDWARD COREY IN SUPPORT</b>
	)	<b>THEREOF</b>
Defendants.	)	

Now comes Plaintiff Shanghai Win-Wing Imp. & Exp. Co., by and through counsel, and moves this Court for an Order continuing the Order of April 18, 2008, Setting Initial Case Management Conference and ADR Deadline.

Specifically, the Court set July 7, 2008 as the last day to meet and confer regarding initial disclosures, early settlement, ADR process selection, and discovery plan and to file Joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone Conference. Declaration of Edward E. Corey, ¶1.

On June 14, 2008, Plaintiff served the Summons, Complaint, and

1 a copy of the Court's Order of April 18, 2008 upon Defendants.  
2 See *Docket Entry No. 7*. Declaration of Edward E. Corey, ¶3. As  
3 such, Defendants' deadline to answer or otherwise respond to the  
4 Complaint is July 7, 2008, the same date as the deadlines  
5 referenced above. Declaration of Edward E. Corey, ¶4. In the event  
6 that Defendants fail to timely respond, default applications will  
7 be promptly submitted. Declaration of Edward E. Corey, ¶5.

8 The Defendants were also served with the Order Setting Initial  
9 Case Management and ADR Deadlines and Defendants have not responded  
10 to Plaintiff's efforts to communicate with them about the  
11 litigation in general. Declaration of Edward E. Corey, ¶6. Further,  
12 It is anticipated that Defendants will not answer or otherwise  
13 respond to the Complaint, and that on or after July 8, 2008,  
14 Plaintiff will file an Application with the Clerk for an Entry of  
15 Default. Declaration of Edward E. Corey, ¶7.

16 As such, Plaintiff moves the Court for an extension of thirty  
17 (30) day after Defendants answer or otherwise respond to the  
18 Complaint, in which to comply with the deadlines set forth in the  
19 Order of April 18, 2008, as those deadlines will most likely be  
20 rendered moot by default proceedings.

21  
22 Dated: July 7, 2008

COREY & COREY

23  
24 By: Edward E. Corey  
25 Attorneys for Plaintiff  
26 Shanghai Win-Wing Imp. & Exp.  
27 Co., Ltd.  
28

**DECLARATION OF EDWARD E. COREY**

I, Edward E. Corey, am counsel of record in this matter for Shanghai Win-Wing Import & Export Company, Limited and make this declaration in support of the Ex Parte Application to continue the case management dates.

1. In this matte, the Court set July 7, 2008 as the last day to meet and confer regarding initial disclosures, early settlement, ADR process selection, and discovery plan and to file Joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone Conference.

2. Immediately upon the filing of the summons and complaint, efforts began to serve the Defendants at various addresses.

3. After several attempts, Plaintiff served the Summons, Complaint, and a copy of the Court's Order of April 18, 2008 upon Defendants on June 14, 2008. *See Docket Entry No. 7.*

4. As such, Defendants' deadline to answer or otherwise respond to the Complaint is July 7, 2008, the same date as the deadlines referenced above.

5. In the event that Defendants fail to timely respond, default applications will be submitted.

6. Defendants have only been recently served and there have been no communications regarding any aspect of this litigation. Prior efforts to communicate with the Defendants were unsuccessful. The Order Setting Initial Case Management and ADR Deadlines was also served on the Defendants and Defendants have not contacted counsel regarding the deadlines.

7. It is anticipated that Defendants will not answer or

1 otherwise respond to the Complaint, and that on or after July 8,  
2 2008, Plaintiff will file an Application with the Clerk for an  
3 Entry of Default.

4 I declare under the penalty of perjury under the laws  
5 of the United States of America that the foregoing is true and  
6 correct.

7 Executed this 7<sup>th</sup> day of July, 2008 at Los Angeles,  
8 California.

9  
10  
11 Edward E. Corey, Declarant.  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**EDWARD E. COREY (SB #124900)**  
**COREY & COREY**

3580 Wilshire Boulevard  
17th Floor  
Los Angeles, CA 90010  
(213) 385-7003  
(213) 385-6908 Fax

Counsel for SHAGHAI WIN-WING IMP. &  
EXP. CO, LTD., Plaintiff.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SHAGHAI WIN-WING IMP. &  
EXP. CO, LTD.,

Plaintiff,

vs.

TETSUYA WATANABE, OAKHILLS  
HARDWOOD FLOORS, INC., K&T  
ASSOCIATES, INC.

Defendants.

No. 08-CV-02031-SC

**ORDER ON PLAINTIFF'S EX  
PARTE APPLICATION TO  
CONTINUE THE ORDER OF APRIL  
18, 2008, SETTING INITIAL  
CASE MANAGEMENT CONFERENCE  
AND ADR DEADLINES**

Upon review of Plaintiff's Motion for Continuing the Order of  
April 18, 2008, Settling Initial Case Management Conference and ADR  
Deadlines, and for good cause shown, said deadlines are continued  
pending further Order of the Court.

It is so ordered.

Judge Hon. Samuel Conti